

**TENNESSEE BOARD OF NURSING**  
**Business Meeting**  
**October 5, 2011**

**MINUTES**

**1. Call to Order—8:30 a.m. C.D.T.**

Dr. Stegbauer called the meeting to order at 8:30 A.M.

**2. Roll Call and Declaration of a Quorum**

Present: Cheryl Stegbauer, RN, Chairperson; Carol Thompson, APN, Vice Chairperson; Donald Bell, APN; Terry Bowman, LPN; Barbara Brennan, RN; Kathleen Harkey, Consumer Member; Deborah Holliday, LPN; Arthur Thompson, LPN; Betty Thompson, RN.

Absent: Marilyn Dubree, RN; Marian Stewart, RN.

A quorum was present.

**3. Welcome to Visitors in the Audience**

Dr. Stegbauer welcomed visitors in the audience from the Tennessee Nurses Association and Chamberlain College.

**4. Introduction of Staff—Elizabeth Lund and Shiva Bozarth**

Elizabeth Lund introduced staff: Martha Barr, RN and Donna Fairchild, RN. Ms. Lund welcomed and introduced Sandra Powell, Board Administrator. Shiva Bozarth, Board Attorney introduced Office of General Counsel staff.

General Counsel, Jane Young, introduced John Dreyzehner, M.D., M.P.H., FACOEM, Commissioner of Health. Dr. Dreyzehner thanked the board for their generous service. Ms. Young also introduced Andrea Huddleston, Interim Assistant Commissioner of Health.

**5. Approval of Minutes—August 24-25, 2011**

C. Thompson made a motion to accept the minutes of the August 24-25, 2011 meeting. Bell seconded the motion. Motion carried.

**6. Consent Agenda**

**a. School Announcements**

Austin Peay State University, School of Nursing –Dr. Patty Orr appointed Interim Director,

Dyersburg State Community College, Division of Nursing and Allied Health – Dr. Evelyn Miller appointed Dean

Freed-Hardeman University, Department of Nursing - Mr. Chris White appointed Chair

ITT Technical Institute, Nursing Program Nashville, Ms. Kathy Wilson appointed chair

King College, School of Nursing - Dr. Johanne Quinn, appointed Dean

MedVance Institute, Nashville - MedVance Institute name changed to Fortis Institute; Jennifer C. Anderson, MSN, RN named Director of Nursing, Associate Degree Nursing Program

Middle Tennessee State University – Dr. Karen Ward, appointed Interim Dean

Roane State Community College, Nursing Division – Ms. Regina Hinkle appointed Interim Dean

Tennessee Wesleyan College, Nursing Department – Ms. Jean Bernard appointed Interim Director

University of Tennessee at Knoxville, College of Nursing – Dr. Victoria Niederhause appointed Dean

University of Tennessee at Martin, Department of Nursing – Dr. Mary E. Radford appointed Interim Chair.

University of Tennessee Health Science Center, College of Nursing - Dr. Susan Jacob appointed Interim Dean

#### **b. School Survey Visits**

University of Tennessee Health Science Center, Memphis - April 14-15, 2011

Austin Peay State University – April 25, 2011

Lincoln Memorial University – July 21-22, 2011

Tennessee Technology Center at Elizabethton Practical Nursing Program - September 13-14, 2011

C. Thompson made a motion, seconded by Bell to adopt the consent agenda as presented.

## **7. School Hearings: 8:45 a.m.**

### **a. Chattanooga College, Chattanooga, TN - Request for initial approval of a Practical Nursing program**

Donna Roddy, MSN, RN, Nurse Consultant and Judith Hobdy, MSN, RN addressed admission standards, curriculum plan, sources for faculty and clinical resources. Mr. Faour, President spoke to administration and financial support for the program.

Following presentations, review of materials and questions by the Board, B. Thompson made a motion to grant approval of initial approval for the LPN program. Bell seconded the motion. Motion carried.

### **b. University of Tennessee Health Science Center, Memphis, TN - Request for full approval of the MSN – Clinical Nurse Leader (CNL) program**

Dr. Susan Jacob, Interim Dean and Dr. Tommi Norris addressed the Board, speaking to changes in the program since initial approval. Dr. Jacob introduced Dr. Greg Hawkins, Assistant Vice president for Academic Affairs.

Following presentations, review of a progress report and questions from the Board, Bell made a motion to grant full approval of the MSN, CNL program at University of Tennessee Health Science Center. B. Thompson seconded the motion. Motion carried.

### **c. Tusculum College, Greeneville, TN – Request for approval of letter of intent to establish and develop a bachelor of science degree program in nursing**

Dr. Nancy Moody, President, addressed her remarks to the ability of this institution to provide administrative and financial resources to conduct a baccalaureate program in nursing. Following presentation, review of initial approval application and questions by the Board, Bell made a motion to grant initial approval of a Bachelor of Science degree program in nursing at Tusculum College. Holliday seconded the motion. Motion carried.

### **d. Concorde College, Memphis, TN – Request for initial approval of an Associate of Science in Nursing Program**

Dr. Sarah Whitaker, Mr. Tommy Stewart and Ms. Lori Sencer, Academic Dean were present. Dr. Whitaker spoke to Concorde College's request for initial approval addressing the curriculum plan, student policies clinical resources, and faculty. Following the presentation, review of initial application and questions by the Board, a motion was made and seconded to grant initial approval of an Associate of Science program at Concorde College.

## **8. Reports**

#### **10:40 A.M. OGC report-rules update—Shiva Bozarth**

Shiva Bozarth presented editorial changes to the Medication Aide Certified Rules as suggested by the office of the Attorney General. Following review of the rules and discussion, C. Thompson made a motion to accept the rules with editorial changes. Bell seconded the motion. Motion carried by roll call vote:

C. Stegbauer, RN, yes; C. Thompson, APN, yes; D. Bell, APN, yes; T. Bowman, LPN, yes; B. Brennan, RN, yes; K. Harkey, Consumer Member, yes; Deborah Holliday, LPN, yes; A. Thompson, LPN, yes; B. Thompson, RN, yes.

Mr. Bozarth stated that nurses who are on suspension would no longer be brought back to the board for revocation for non-compliance with TnPAP or other conditions. A suspended nurse may not work; therefore poses no danger to the public. This plan would reduce unnecessary cases. The board accepted this action by general agreement.

#### **11:15 Executive Director's report—Libby Lund**

Ms. Lund presented the Executive Director report. The board reviewed the written report which had additional graphs as requested by the board at its last meeting.

Ms. Lund announced that Dr. Carol Thompson has assumed the presidency of an international organization. The time commitment has led her to resign from the Board of Nursing, effective January 1, 2012.

#### **11:20 Election of Officer (Vice Chairman)**

Arthur Thompson made a motion to elect Barbara Brennan to serve as Vice Chairman of the Board. Kathleen Harkey seconded the motion. Motion carried. Ms. Lund suggested that members review membership on the various committees. Stegbauer volunteered to chair the practice committee. Brennan accepted chairmanship of finance committee. Board members accepted the changes by general agreement.

#### **11:25 Medication Aide Update**

Ms. Lund reported that the MAC director position is still open, but there are plans to fill the position as soon as possible.

#### **11:30 Pain Management Clinic Emergency Rules**

Ms. Lund reported that the Pain Management Clinic Emergency Rules are in place and that there will be a rulemaking hearing for the permanent rules December 1, 2011.

#### **11:40 Investigations Report- Juanita Stone**

Ms. Stone presented a report of complaints filed, closed or adjudicated with discipline. The report demonstrated percentages of RNs, LPNs and APNs disciplined by the BON as requested by Board members at the August 2011 meeting.

#### **11:49 TnPAP report—Mike Harkreader**

Mr. Harkreader presented a report that documented nurses in the TnPAP program, those who had successfully completed monitoring and those who had discontinued the program.

Mr. Harkreader announced that TnPAP has outsourced managed peer support groups. The change has been made to increase the effectiveness and quality of peer support. The groups will focus on relapse prevention. The company will offer training and certification to group facilitators. The cost to the participants will be \$95 per month. Currently the cost is approximately \$60. Online courses will be available to participants along with recovery counseling.

#### **12:00 Finance Report**

Ms. Lund reported that the finance report would be available within one month. The final report will be mailed.

#### **12:05 Report of Joint Committee on Hormone Replacement Therapy**

Ms. Huddleston reported that the Joint Committee on Hormone Replacement Therapy (HRT) was conducting a literature search on HRT. A meeting will be held in the near future. Cheryl Stegbauer volunteered to participate on this committee as the representative of the Board of Nursing. The Board approved this assignment.

#### **Report of Joint BME/BON Committee**

Dr. Stegbauer reported that this committee has not met recently, so there is no report at this time.

### **11. Requests for Advisory Rulings and Practice Committee Discussion/Recommendations**

#### **a. Tracheostomy Changes by LPNs in home setting**

Maxim Health Care appeared before the board requesting reconsideration of the Board's policy to leave tracheostomy change out of the scope of practice of the LPN. Speaking to this topic were Bill West, attorney for Maxim and Debbie Locke, nursing director. The Board and practice committee heard Maxim's position on tracheostomy changes by LPNs. Dr. Thompson, Chairperson of the Practice Committee, expressed concern that changing the outer cannula of a tracheostomy is not in the curriculum of LPN programs. Dr. Thompson asked Ms. Locke and Mr. West for suggestions to resolve that concern. The Practice

Committee will keep Maxim on its agenda so that they can present their educational program at the next board meeting.

**b. Other**

There were no requests for an advisory opinion.

**12. 12:25 Open Forum--opportunity for members of the public to address the board**

Sharon Adkins from the Tennessee Nurses Association spoke to the concept of a Tennessee Nurse Foundation (TNF) fund to assist nurses in TnPAP with the cost of drug screening. Ms. Adkins reported that this would not be something that TNF could manage. TNA conducted a survey and found that currently there are no other states that have a similar fund. In the last eight years, no one has taken advantage of money that is already available through Tennessee laboratories; therefore, the TNF board has made a decision not to create the special fund.

**13. Lunch—12:50-1:50**

**14. Application Review Committee (ARC) Recommendations/Opportunity to Interview Applicants—1:00 p.m.--Betty Thompson, RN, Donna Fairchild, RN Consultant**

The Board considered ARC recommendations and made the following decisions:

APPLICANT	DECISION
<b>Applications for Licensure by Endorsement</b>	
Charlotte Shores Knoxville, TN.  Present with Attorney, Ben Mezer  Application for RN license by endorsement from Arizona	C. Thompson made a motion to deny request for RN license by endorsement based on being found guilty of a crime which is a violation of Tennessee Code Ann. §63-7-115 (a) (1) (B). There was no second on the motion. During discussion, the applicant made a verbal request to withdraw her application. The motion did not carry.  B. Thompson made a motion to allow withdrawal of the application. Harkey seconded the motion. Motion carried.
Rachel N. Vialpando 300 N. Jefferson Street, Apt. B Winchester, TN 37398	Ms. Vialpando made a verbal request to the board to withdraw her application for RN license by endorsement. Ms. Vialpando has

Present, representing herself  Application for RN License by endorsement from Colorado	unresolved discipline in Colorado and plans to return there. Harkey made a motion to grand the applicant's request. A. Thompson seconded the motion. Motion carried.
Karen Dempsey, LPN #55000 Failed to renew – Expired 3/31/10 Rossville, GA 30741  Present, representing herself	The recommendation of Application Review Committee was to deny application for reinstatement of LPN license based on conviction of a crime, obtaining a prescription by fraud, a violation of T.C.A. 63-7-115 (a) (1) (B) and was still on criminal probation. Board policy is to deny licensure to applicants on criminal probation. Ms. Dempsey presented documentation that she is off criminal probation.  Bell made a motion to approve reinstatement of the applicant's LPN license with probation upon evaluation through TnPAP, with a contract if indicated and probation to run the term of the contract. Harkey seconded the motion. Motion carried.
Frederick K. Musiitwa 315 Hickory Hollow Terrace Antioch, TN 37013-2128  Application for endorsement from North Carolina  <b>Not present</b>	C. Thompson made a motion to deny LPN license by endorsement based on the facts of falsification of a nursing application and conviction of a crime, violations of T.C.A. 63-7-115 (a) (1) (A) and 63-7-115 (a) (1) (B). A. Thompson seconded the motion. Motion carried.
Elizabeth Lou Westfall 526 Hickory Club Drive Antioch, TN 37013  Application for RN license by endorsement from Indiana  <b>Not present</b>	Harkey made a motion to deny application for RN license by endorsement based on the fact of falsification of a nursing application, a violation of T.C.A. 63-7-115 (a) (1) (A). The motion was seconded by Holliday. Motion carried
<b>Applications for Reinstatement</b>	

Cheryl E. Baker, RN #98401 Expired 01/31/2010 Franklin, TN 37064  <b>Not present</b>	Bell made a motion to deny application for reinstatement of RN license based on conviction of a crime and failure to disclose that on application, violations of T.C.A. 63-7-115 (a) (1) (B) and 63-7-115 (a) (1) (A) and has not paid all fines and remains on criminal probation. Holliday seconded the motion. Motion carried.
Rebecca J. Chapman, RN #87011 (Inactive) Expired 06/30/08 Chattanooga, TN  <b>Not present</b>	A motion was made and seconded to deny reinstatement of RN license based on discipline in another state, a violation of Rules and Regulations of Registered Nurses 1000-1-.13 (1)(j) ....discipline in another state....for any act or omission which would constitute grounds for ...discipline in this state.
Joan D. Gary, RN #152744 (Revoked 6/5/09) Mount Pleasant, TN 38474  Request for reinstatement  Attorney David Grimmet: <b>Not present</b>	Ms. Gary was not present. C. Thompson made a motion to deny application for reinstatement of RN license based on lack of documentation of two years sobriety pursuant to board policy and non compliance with TnPAP. Bell seconded the motion. Motion carried.
Terri L. Lancaster, RN #72806 (Revoked 1/9/08) 350 Old Shackle Island Road, #C-37 Hendersonville, TN 37075  <b>Not present</b>	Bell made a motion, seconded by Holliday, to deny reinstatement of RN license based on no evidence of sobriety required by board policy and non -compliance with TnPAP when offered the opportunity. Motion carried.

### 15. Administrative Revocation for Insufficient Funds

C. Thompson made a motion to administratively revoke the license of Stephanie Shipley, LPN 78775. The motion was seconded by Holliday. Motion carried.

### 16. Travel Approval—NCSBN Midyear Meeting

Following discussion, B. Thompson made a motion to approve travel funding of two board members, the chair and vice-chair, and Elizabeth Lund, to attend the 2012 Mid-Year Meeting of NCSBN in Chicago, IL on March 11-14, 2012. A. Thompson seconded the motion. Motion carried.

## 17. Discussion

### a. Presentation of Agreed/Consent Orders

NURSE	LICENSE	ACTION
Kimberly Ann Branham	LPN 58912	Bell made a motion to approve the consent order of <b>suspension/probation</b> . B. Thompson seconded the motion. Motion carried.
Dyana T. Clark	RN 158681	Bell made a motion to approve the agreed order of <b>suspension/probation</b> . Motion seconded by Holliday. Motion carried.
Tanya M. Kim	RN 140188	C. Thompson recused herself from the case. B. Thompson made a motion to approve the consent order of <b>suspension/probation</b> . Motion seconded by Bell. Motion carried.
Janet M. Limbdin	RN 47697	Bell made a motion, seconded by Harkey to approve the agreed order of <b>suspension/probation</b> . Motion carried.
Sandra S. Watson	RN 114215	Bowman made a motion to approve the consent order of <b>voluntary surrender</b> . Motion seconded by A. Thompson. Motion carried.
Gary R. Bickford	RN 146780, APN 12264	C. Thompson made a motion <u>not</u> to approve the consent order. Bell seconded the motion. Motion carried.
Jennifer R. Slagle	RN 128134	C. Thompson made a motion, seconded by A.

		Thompson to accept the agreed order of <b>suspension/probation.</b> Motion carried.
Kimberly Dawn Story	RN 115235	Holliday made a motion, seconded by B. Thompson to approve the consent order of <b>suspension/probation.</b> Motion carried.
Julie B. Willman	LPN 41641	Bell made a motion to accept the agreed order of <b>suspension/probation.</b> Motion seconded by Harkey. Motion carried.
Winfield Allison	RN 91033	Bowman made a motion to accept the consent order of <b>suspension/probation.</b> A. Thompson seconded the motion. Motion carried.
Mallory J. Hamsher	RN166848	B. Thompson made a motion to accept the consent order of <b>probation.</b> Bowman seconded the motion. Motion carried.
Marilyn K. McKelvey	RN 39696	Bowman made a motion to accept the agreed order of <b>permanent retirement.</b> Motion seconded by Harkey. Motion carried.
Laura Brackett McMurray	RN 137362	Holliday made a motion to accept the consent order of <b>suspension/probation.</b> Motion seconded by B. Thompson. Motion carried.
Lisa G. Morris	RN 117034	C. Thompson made a motion to approve the consent order of one type B <b>civil penalty</b> for \$500. Motion seconded by B.

		Thompson. Motion carried.
Mitzi K. Owen	RN 58475	Bell made a motion to accept the consent order of <b>probation</b> . Motion seconded by B. Thompson. Motion carried.
Joyce M. Scott	LPN 56758	Bell made a motion to accept the consent order of <b>revocation</b> . Motion seconded by Bowman. Motion carried.
Monica R. Stricklin	RN 125276	Holliday made a motion <u>not</u> to accept the consent order. B. Thompson seconded the motion. Motion carried.
Karen Z. Torres	RN 159957	Bowman made a motion to accept the consent order of <b>suspension/probation</b> . A. Thompson seconded the motion. Motion carried.
Terri Thompson Snider	RN 117577	C. Thompson made a motion, seconded by B. Thompson, to accept the consent order of <b>probation</b> .
Sarah Beth Booker	RN 140948	B. Thompson made a motion to accept the consent order of <b>probation</b> . Motion seconded by Holliday. Motion carried.
Kutis Alan Bowden	RN 124230	Holliday made a motion to accept the consent order of <b>suspension/probation</b> . Motion seconded by Harkey. Motion carried.
Kyla M. Dunn	LPN 60074	Bowman made a motion to accept the consent order of <b>suspension/probation</b> . Motion seconded by Bell.

		Motion carried.
Joni M. Hix	RN 76103	B. Thompson made a motion to accept the consent order of <b>revocation</b> . Motion seconded by Bell. Motion carried.
Allison K. Schaber	LPN 74637	C. Thompson made a motion to approve the agreed order of <b>suspension/probation</b> . Bell seconded the motion. Motion carried.
Jamison L. Snider	RN 166031	Bell made a motion to approve the consent order of <b>suspension/probation</b> . Holliday seconded the motion. Motion carried.
Scott A. Sturtevant	LPN 59406	Harkey made a motion to approve the agreed order of <b>suspension/probation</b> . Bowman seconded the motion. Motion carried.

The Board accepted for their information the following NCSBN guidelines:

- **Sexual Misconduct Guidelines**
- **Disciplinary Guidelines**
- **Social Media Policy**

The meeting recessed at 5:00 P.M.

**October 6, 2011**

**Call to order:**

Dr. Stegbauer called the meeting to order at 8:30 A.M.

**Roll Call and Declaration of a Panel Quorum**

Present: Cheryl Stegbauer, RN, Chairperson; Donald Bell, APN; Terry Bowman, LPN; Barbara Brennan, RN; Kathleen Harkey, Consumer Member; Deborah Holliday, LPN; Arthur Thompson, LPN; Betty Thompson, RN.

Absent: Marilyn Dubree, RN; Marian Stewart, RN; Carol Thompson, APN

Dr. Stegbauer welcomed visitors in the audience from Appalachian Regional Practical Nursing Program, Oneida campus

**b. Conduct Disciplinary Hearings**

**DISCIPLINARY HEARINGS**

**Panel 1**

**Judge Marion Wall Presiding**

**8:55 A.M.**

Panel Members: Cheryl Stegbauer, RN, Chair; Terri Bowman, LPN; Don Bell, APN; Debbie Holiday, LPN. A panel quorum was present.

Judge Wall instructed the panel.

**Bradley R. Blackburn, RN 130434; State Attorney- R. Appelt**

Mr. Blackburn was present and represented by Attorney Wayne Culbertson.

D. Bell moved findings of facts 3 & 4 to be true. D. Holiday seconded. Motion carried.

D. Bell moved violation of TCA 63-7-115(a) (1) (B) and Rules 1000-01-.13(5). D. Holiday seconded. Motion carried.

D. Bell moved to **suspend** license, nurse to undergo an evaluation, sign a TnPAP contract if recommended and be placed on **probation** for length of contact, if no monitoring recommended to be on probation for one year; assess one (1) Type A civil penalty in the amount of one thousand dollars (\$1,000) and court cost not to exceed \$5,000. Seconded by D. Holiday.

Chair made Policy Statement that to protect the public, the action appropriate to require an evaluation and probation. D. Bell moved and seconded by D. Holiday to accept policy statement.

**Mary L. Dombrowski, RN 161123; State Attorney –M. Guilford.**

Respondent Mary Dombrowski present and represented self.

D. Bell moved that allegation of facts 3 as amended, 4 and 5 to be true. D. Holiday seconded. Motion carried. D. Bell moved acts constitute a violation TCA 63-7-115 (a) (1) (G). D. Holiday seconded. Motion carried. D. Bell moved to **revoke** license and assess one Type C Civil Penalty in the amount of five hundred dollars (\$500) and court cost not to exceed \$5,000. Seconded by D. Holiday. Motion carried. Policy statement is the duty of the board to protect the public, the respondent violated an order and disciplinary action to revoke is appropriate. D. Bell moved and D. Holiday seconded to accept policy statement

**Rita M. Ervin, RN 160235; State Attorney - Mark Guilford.**

**Respondent not present and not represented by an attorney**

T. Bowman moved that allegation of facts 3, 4, 5, and 6 to be true. D. Holiday seconded. Motion carried. T. Bowman moved violation of TCA 63-7-115(a) (1) (G). D. Holiday seconded. Motion carried. T. Bowman moved **revocation** of license and assessment of one (1) Type C Civil Penalty in the amount of five hundred dollars (\$500) and court cost not to exceed \$1,000. D. Bell seconded. Motion carried. Policy statement that respondent violated a BON lawful order and revocation appropriate to protect the safety of the public. D. Bell Moved and T. Bowman seconded to accept policy statement.

## **AGREED ORDER**

### **Shannon R. Warren- Missouri RN license 138963**

D. Bell moved to adopt agreed order that respondent **voluntarily surrender** her multistate privilege to practice nursing in TN. D. Holiday seconded. Motion carried.

Recess for Lunch 12:30

### **Reconvened 1:38 p.m. CDT**

#### **Deborah E. Smith. LPN 33060**

#### **State's Attorney, Mark Guilford.**

Deborah Smith respondent not present and not represented by attorney,

D. Holiday moved to hear case in default. D. Bell seconded. Motion carried.

D. Bell moved allegations of fact 3, 4, 5, 6, and 7 to be true. Seconded by T. Bowman. Motion carried.

D. Bell moved facts constitute a violation TCA 63-7-115 (a)(1)(C),( F) and Rules 1000-02-.13(1)(b)(c). T. Bowman seconded. Motion carried.

D. Bell moved to **revoke** license and assess one Type A Civil Penalty in the amount of one thousand dollars (\$100,000) and court cost not to exceed \$3,000. T. Bowman seconded. Motion carried. Policy statement it is the duty of the board to protect the public, the respondent guilty of incompetence and disciplinary action to revoke is appropriate. Motion to accept policy statement by D. Bell, seconded by T. Bowman, motion carried

## **DISCIPLINARY HEARINGS**

### **Panel 2**

#### **Judge Tony Adjent Presiding**

**8:55**

Panel Members: B. Thompson, RN, A. Thompson, LPN, K. Harkey, Public Member. A quorum was present.

### **Cheri Roberts RN 6615 Motion for Continuance**

Ms. Roberts was present, representing herself. Shiva Bozarth represented the state. Judge Adjent granted the continuance based on Ms. Roberts' testimony.

B. Thompson, RN welcomed visitors in the audience and introduced the panel members

## **Consider Petition for Reconsideration**

### **Garth Birdwell, RN 75978 Appeal Licensure Revocation**

Mr. Birdwell was present, representing himself. He presented his argument that the Administrative Judge's decision to revoke his license should be reversed by the panel. Brian Sims represented the State of Tennessee.

Mr. Sims presented the state's argument that Mr. Birdwell should not have his license restored. He also asked for civil penalties and costs of this hearing.

The panel reviewed the technical record and questioned the petitioner. A. Thompson made a motion to **uphold the revocation decision** of the Honorable Judge Johnson. Motion seconded by Harkey. Motion carried.

### **Patricia McFadden, RN 113216, APN 10139**

Ms. McFadden was present, represented by her attorney. Shiva Bozarth represented the State of Tennessee. Judge Adjent instructed the panel. Ms. McFadden is charged with violation of T.C.A. §63-7-115(a)(1) and Rules and Regulations of Registered Nurses 1000-01-.13(1)(e). Following testimony of witnesses, presentation of evidence and questions by the panel, Judge Adjent charged the panel. B. Thompson made a motion to find allegations 3, 4, 5, 6 to be true. Harkey seconded the motion. Motion carried. B. Thompson made a motion to find the respondent in violation of T.C.A. §63-7-115(a)(1)(F) and Rules and Regulations of Registered Nurses 1000-01-.13(5)(e)(j). Motion seconded by Harkey. Motion carried. B. Thompson made a motion, seconded by Harkey to **suspend** the license of the respondent until she has a TnPAP contract, followed by no less than five years **probation**, to run concurrent with the TnPAP contract, impose costs not to exceed \$3,000. Harkey seconded the motion. Motion carried. B. Thompson gave the policy statement.

### **Lorinda Daniels, RN 111393 (Expired September 30, 2011)**

Ms. Daniels was not present nor represented by an attorney. Rachel Appelt represented the State and presented evidence of service. She made a motion to proceed in default. Judge Adjent granted the motion to proceed in default. Ms. Appelt published the notice of charges. The respondent is charged with violation of §T.C.A. 63-7-115 (a)(1)(F) and Rules and Regulations 1000-1-.13(1)(b)(d). Following testimony, and presentation of evidence Judge Adjent charged the panel. B. Thompson made a motion to find allegations of fact 3-11 to be true. Motion seconded by Harkey. Motion carried. B. Thompson made a motion, seconded by Harkey to find the respondent in violation of §T.C.A. 63-7-115 (a)(1)(F) and Rules and Regulations 1000-1-.13(1)(b)(d). B. Thompson made a motion to **suspend** the respondent's license until a TnPAP contract is in place, followed by **probation** for the duration of the contract or a minimum of 3 years whether

or not a contract is needed and to impose civil penalties and court costs not to exceed \$3,000. Motion carried. B. Thompson made the policy statement.

**Christie J. Bowling, LPN 75463 (Expires 11/30/2011)**

Ms. Bowling was not present nor represented by an attorney. Rachel Appelt presented evidence of service and made a motion to proceed in default. Judge Adjent granted the motion to proceed in default. Ms. Appelt published the notice of charges. Ms. Boling is charged with violation of §T.C.A. 63-7-115 (a)(1)(F) and Rules and Regulations of Licensed Practical Nurses 1000-2-.13(g). Following presentation of evidence, testimony of a witness and questions by the panel, A. Thompson made a motion to find allegations 3, 4, 5, to be true. Harkey seconded the motion. Motion carried. A. Thompson made a motion to find Ms. Bowling in violation of §T.C.A. 63-7-115 (a)(1)(F) and Rules and Regulations of Licensed Practical Nurses 1000-2-.13(g). Harkey seconded the motion. Motion carried. A. Thompson made a motion to **suspend** the respondent's license until she has a TnPAP evaluation within 60 days. If a contract is indicated, place the license on **probation** for the duration of the contract, one Type A Civil Penalty for \$1,000 plus costs not to exceed \$2,000. Harkey seconded the motion. Motion carried. B. Thompson made the policy statement.

**Susan Webster LPN 61547 (Expires 12/31/2011)**

Ms. Webster was not present and not represented by an attorney. Shiva Bozarth represented the State. Mr. Bozarth presented evidence of proof of service and made a motion to proceed in default. Judge Adjent granted the motion to proceed in default. Mr. Bozarth published the notice of charges to the panel. Ms. Webster is charged with violation of T.C.A. §63-7-115 (a)(1)(G), and Rules and Regulations of Licensed Practical Nurses 1000-2-.04. Following presentation of evidence and testimony by a witness, made a motion to find allegations 3, 4, 5, 6, 7 to be true. Harkey seconded the motion. Motion carried. Made a motion to find the respondent in violation of T.C.A. §63-7-115 (a)(1)(G). B. Thompson made a motion to revoke the license, may not apply for reinstatement for one year, and costs not to exceed \$500. Motion carried. B. Thompson made the policy statement.

**Christie L. Meeks, RN 141003 (Suspended 2/7/2011)**

Ms. Meeks was not present nor represented by an attorney. Shiva Bozarth represented the State. Mr. Bozarth made a motion to proceed in default. After presentation of proof of service, Judge Adjent granted the motion to proceed in default. Ms. Christie is charged with violation of T.C.A. §63-7-115 (a)(1)(G). Mr. Bozarth published the notice of charges to the panel. Following presentation of evidence and testimony by a witness, A. Thompson made a motion to find allegations 3, 4, 5, 6 to be true. B. Thompson seconded the motion. Motion carried. A. Thompson made a motion to find the respondent in violation of T.C.A. §63-7-115 (a)(1)(G). B. Thompson seconded the motion. Motion carried. A. Thompson made a motion to **revoke** the respondent's license for two years

minimum and impose costs not to exceed \$500. Harkey seconded the motion. Motion carried. B. Thompson made the policy statement.

### **Adopt Agreed and Consent Orders, Letters of Reprimand and Screening Panel Actions**

#### **Consent Orders**

##### **Tammy K. Hardin, LPN 54317 (Expires 1/31/2012)**

B. Thompson, made a motion, seconded by Harkey, to accept the consent order of **suspension/probation**. Motion carried.

##### **Crystal Sowder RN 149857 (Expires 8/31/2012)**

Harkey made a motion, seconded by B. Thompson, to accept the consent order of **suspension/probation**. Motion carried.

#### **Consider Order Modifications**

There were no petitions for order modification.

#### **19. Other Business That May Arise**

There was no other business before the board.

#### **20. Next Meeting--Full BON Meeting-February 15-16, 2012, 8:30 a.m., Iris and Poplar (Business on February 15 and Panels on February 16)**

#### **21. Adjourn**

The meeting adjourned at 2:30 P.M.